

REMARKS

Claims 1, 10, and 18 have been amended. Claims 8, 9, 13 – 17, and 22 – 29 have been cancelled. No new matter has been added. Claims 1 – 7, 10 – 12, and 18 – 21 are pending in this Application. Reconsideration and further examination is respectfully requested.

37 CFR § 1.105 Requirement for Information

Information is requested under 37 CFR 1.105 “to identify products and services embodying the disclosed subject matter of tracking the status of a workflow and/or utilizing weblogs for project/workflow management/tracking and identify the properties of similar products and services found in the prior art.

Traversal:

This requirement is respectfully traversed. Applicants submit that this requirement is improper in that no reasonable basis for the requirement has been established.

Applicants refer to MPEP 704.11, which explains what “information” can be required under 37 CFR 1.105. Accordingly, information which may be required under 37 CFR 1.105 is that information reasonably necessary to properly examine or treat a matter in a pending application. There must be a reasonable basis for the information required that would aid in the examination of an application or treatment of some matter. A requirement for information under

37 CFR 1.105 places a substantial burden on the applicant that is to be minimized by clearly focusing the reason for the requirement and the scope of the expected response. Thus, the scope of the requirement should be narrowly defined, and a requirement under 37 CFR 1.105 may only be made when the examiner has a reasonable basis for requiring information.

The criteria stated in 37 CFR 1.105 for making a requirement for information is that the information be reasonably necessary to the examination or treatment of a matter in an application. The information required would typically be that necessary for finding prior art or for resolving an issue arising from the results of the search for art or from analysis of the application file. A requirement for information necessary for finding prior art is not a substitute for the examiner performing a search of the relevant prior art; the examiner must make a search of the art according to MPEP § 704.01 and §§ 904 - 904.03.

The criteria of reasonable necessity is generally met, e.g., where:

(A) the examiner's search and preliminary analysis demonstrates that the claimed subject matter cannot be adequately searched by class or keyword among patents and typical sources of non-patent literature, or

(B) either the application file or the lack of relevant prior art found in the examiner's search justifies asking the applicant if he or she has information that would be relevant to the patentability determination.

The Applicants respectfully assert that this Requirement for Information should be withdrawn because the scope of the stated purpose, i.e. “to identify products and services embodying the disclosed subject matter”, is neither “clearly focused” nor “narrowly defined”. Furthermore, neither of the criteria of reasonable necessity apply, since, at the very least, the

examiner has previously conducted successful searches and issued three office actions based on the results of those searches.

The Applicants, in order to be fully responsive, do present the following response to the Request for Information:

Response to Request for Information:

1. “Please provide the citation and a copy of each publication which any of the applicants authored or co-authored and which describe the disclosed subject matter of tracking the status of a workflow and/or utilizing weblogs for project/workflow management/tracking.”

To the best of the Applicants’ representatives’ information and belief, the applicants did not author or co-author any publications describing the disclosed subject matter.

2. “Please provide the citation and a copy of each publication that is a source used for the description of the prior art in the disclosure. For each publication, please provide a concise explanation of that publication’s contribution to the description of the prior art.”

To the best of the Applicants’ representatives’ information and belief, no publication was directly used for the description of the prior art in the disclosure. That is, no particular publication was relied on to draft the background or specification of the

application. However, an IDS is herewith submitted referring to general subject matter.

The following are comments from the applicants regarding “Using Weblogs to Manage IT”, which was reviewed by the Applicants at the time the invention disclosure was made. This article was reviewed because it suggests use of blogs for project management:

Using Weblogs to Manage IT

<http://www.windley.com/2003/06/04.html>

Tuesday, June 3, 2003

Applicants’ comment (paraphrased): ...the blogs and feeds (of the invention) were not meant to replace workflow systems as stated in the article, but instead meant to augment the workflow system - allowing the benefits of automated systems to be realized while referencing key user involved states when necessary via a blog.

In addition to Applicants’ comments – note that this article does not address any application for communication between a workflow and a weblog. Nor does this article address automatic generation of an entry in a weblog to indicate that a workflow action has occurred.

3. “Please provide the citation and a copy of each publication that any of the applicants relied upon to develop the disclosed subject matter that describes the applicant’s invention, particularly as to developing a method/system for tracking the status of a

workflow and/or utilizing weblogs for project/workflow management/tracking. For each publication, please provide a concise explanation of the reliance placed on that publication in the development of the disclosed subject matter.”

To the best of the Applicants’ representatives’ information and belief, the disclosed subject matter was never developed or implemented in a product.

4. “Please provide the citation and a copy of each publication that any of the applicants relied upon to draft the claimed subject matter. For each publication, please provide a concise explanation of the reliance placed on that publication in distinguishing the claimed subject matter from the prior art.

To the best of the Applicants’ representatives’ information and belief, no publications were relied upon to draft the claimed subject matter.

5. “Please provide the names of any products or services that have incorporated the claimed subject matter.”

To the best of the Applicants’ representatives’ information and belief, no products or services have incorporated the claimed subject matter.

6. “Please state the specific improvements of the claimed subject matter in claims over the disclosed prior art and indicate the specific elements in the claimed subject matter that provide those improvements. For those claims expressed as means or steps plus

function, please provide the specific page and line numbers with the disclosure which describe the claimed structure and acts.

No pending claims employ means or steps plus function language.

In accordance with the invention, instances of workflows are instantiated by a user. (Fig. 2). For each workflow instance, a weblog is generated to track the instance of the workflow. The weblog is accessible to weblog members, some of whom can view it and some of whom can post to it. An application is employed to cause communication between the workflow and the weblog to automatically post an entry in the weblog in indicate that a workflow action has occurred. This entry is then physically viewable on a display device by weblog members.

The disclosed prior art fails to teach or suggest any environments wherein workflows are instantiated, and an application causes communication between a workflow and a weblog to automatically post an entry in the weblog to indicated that a workflow action has occurred, wherein the weblog is accessible to weblog members, first weblog members with permission to view workflow status and weblog comments, and second weblog members with permission to view workflow status and view and post weblog comments.

Specifically, regarding Claim 1:

The prior art fails to disclose a method for tracking the status of a workflow including the steps of:

instantiating an instance of a workflow by a user, the user being assigned to a role in the workflow, the workflow having a plurality of workflow steps;

generating a weblog to track an instance of the workflow, the weblog accessible to weblog members, first weblog members with permission to view workflow status and weblog comments, and second weblog members with permission to view workflow status and view and post weblog comments; and

employing an application to cause communication between the workflow and the weblog to automatically posting an entry in the weblog to indicate that a workflow action has occurred, the entry being physically viewable on a display device by weblog members.

Regarding Claims 2 – 7, the disclosed prior art fails to teach or suggest the limitations of Claim 1, from these claim depend.

Regarding Claim 10, the disclosed prior art specifically fails to disclose a computing system for tracking the status of a workflow, the computing system comprising:

a display screen;

an input device to perform at least one of:

receiving a client request to instantiate an instance of a workflow by a user, the user being assigned to a role in the workflow, the workflow having a plurality of workflow steps;

receiving a client request to generate a weblog for tracking an instance of the workflow, and

a server in communication with the display screen and the input device, the server executing a server application to generate the weblog, the weblog accessible to weblog members, first weblog members with permission to view workflow status and weblog comments, and second weblog members with permission to view workflow status and view and post weblog comments, the server employing an application to cause communication between the workflow and the weblog to automatically post an entry in the weblog to

indicate that a workflow action has occurred, the entry being physically viewable on a display device by the weblog members.

Regarding Claims 11 - 12, the disclosed prior art fails to teach or suggest the limitations of Claim 10, from which these claims depend.

Regarding Claim 18, the disclosed prior art fails to disclose a computer program product comprising:

program code for instantiating an instance of a workflow by a user, the user being assigned to a role in the workflow, the workflow having a plurality of workflow steps;

program code for generating a weblog to track an instance of the workflow, the weblog accessible to weblog members, first weblog members with permission to view workflow status weblog comments, and second weblog members with permission to view workflow status and view and post weblog comments; and

program code for causing communication between the workflow and the weblog to automatically post an entry in the weblog to indicate that a workflow action has occurred, the entry being physically viewable on a display device by the weblog members.

Regarding Claims 19 - 21, the disclosed prior art fails to teach or suggest the limitations of Claim 18, from which these claims depend.

Claim Rejections – 35 USC § 101

Claims 1 – 9, 18 – 22, and 23 – 29 were rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. This rejection is respectfully traversed.

Regarding Claims 1 – 9, the Office Action cited claims dependent 5 – 6 as being directed toward a computer program. However, independent claim 1 as amended, from which claims 5 – 6 depend, now recites a method for tracking the status of a workflow, the method employing an application to cause communication between the workflow and a weblog to automatically post an entry in the weblog to indicate that a workflow action has occurred, the entry being physically viewable on a display device by first and second weblog members. Since the claimed entry is physically viewable on a display device, the Applicants assert the claimed subject matter is statutory. The Applicants therefore respectfully request that the rejection of claims 1 – 9 be withdrawn.

Regarding Claims 18 – 22, the Office Action stated that the proper computer program product claim format was not used. Claim 18 has been amended to recite a computer readable medium having embodied therein a computer program for storing data. The Applicants believe this format is acceptable and therefore respectfully request that the rejection of claims 18 – 22 be withdrawn.

Claims 23 – 29 have been cancelled and thus this rejection is moot.

Claim Rejections – 35 USC § 103

Claims 1 – 4, 7 – 11, 13 – 14, 16 – 19, 21 – 26, and 28 – 29 were rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Project 2000 as evidenced by Pyron et al., Using Microsoft Project 2000 (2000; MS Project) in view of Clark, U.S. Patent No. 7,062, 449. To the extent that this rejection applies to currently pending claims 1 – 4, 7, 10 – 11, 18 – 19, and 21, this rejection is traversed, as MS Project and Clark, taken together or in part, fail to teach or suggest the Applicants' invention as now claimed.

The Applicants' invention as now set forth in exemplary claim 1 includes a method for tracking the status of a workflow. The method includes the steps of:

“instantiating an instance of a workflow by a user, the user being assigned to a role in the workflow, the workflow having a plurality of workflow steps;

generating a weblog to track an instance of the workflow, the weblog accessible to weblog members, first weblog members with permission to view workflow status and weblog comments, and second weblog members with permission to view workflow status and view and post weblog comments; and

employing an application to cause communication between the workflow and the weblog to automatically post an entry in the weblog to indicate that a workflow action has occurred, the entry being physically viewable on a display device by the weblog members.”

An example implementation of the Applicants' invention as set forth at Applicants' Specification at [00028] helps understand the claimed invention. In this example, the workflow involves processes associated with the delivery of cars at a car dealership. "The workflow includes various steps or actions to be performed such as financing approval, inventory tracking, receiving the car, selling the car, servicing the car, and a means to handle exceptions or actions not described within the workflow." A user, such as Lucy James or another person (Fig. 2, 3) can instantiate a car receiving workflow. It is desirable to provide a way to communicate the actions taken in association with these steps in the workflow – receiving the car, servicing the car, etc. – to people who are interested in it.

Thus, in accordance with the invention, Lucy James, or another person such as Lew Gould (Fig. 4) can also generate a weblog that tracks that workflow. The weblog is accessible to weblog members who are interested in the status of the workflow. In accordance with the invention, first weblog members can view workflow status and weblog comments and second weblog members can view status and post weblog comments. Weblog members can be both first and second weblog members, or, in accordance with certain embodiments, may be first weblog members only for policy reasons. For example, Lucy, as a user, can view the workflow status of any of the workflows she has initiated (Fig. 2). Thus, Lucy is a first weblog member. If, for example she has proper permission, Lucy can also post comments on the weblog. Thus, Lucy is also a second weblog member. In accordance with an embodiment, Lew Gould (Fig. 4), as General Manager, may not have actually instantiated any car receiving workflows but is a weblog member that can view them. If policy provides that second weblog members have certain permissions, he may also be a second weblog member who can both view and post comments if he has proper authorization.

In accordance with the invention, an application is employed to cause communication between the workflow and the weblog to automatically post an entry in the weblog to indicate that a workflow action has occurred, the entry being physically viewable on a display device by weblog members. Thus, as actions occur in Lucy's car receiving workflow, her workflow weblog is automatically updated by this application. Lucy, as at least a first weblog member, can view this update. Lucy does not need to physically update the weblog that is tracking the workflow, she may not even have the ability to post comments – but the weblog will be updated automatically when her workflow actions occur.

Thus the Applicants have provided a way to link actions occurring in a workflow to a physically viewable weblog, viewable by the users of the workflow and/or the members of the weblog. In accordance with a particular embodiment of the claimed application, as explained at Applicants' specification at [00021], each workflow instance communicates with its respective weblog through an interpreter. (Fig 2.) More specifically, "Processing by the interpreter 58 includes translating raw events triggered in the workflow instance 50 into an XML weblog entry format or other standard weblog entry format that is human readable." [00022]

The Applicants respectfully submit that MS Project and Clark, taken in any combination or part, fail to teach or suggest the Applicants' invention as now claimed. The invention as now claimed requires that a workflow be instantiated by a user. In addition, a weblog is generated, accessible by weblog members, who may or may not be participants in the workflow being viewed. This weblog can be viewed by some ("first weblog members") and posted to by others ("second weblog members"). Weblog members may be first and/or second weblog members. An application enables communication between the workflow and the weblog to automatically post entries to the weblog when a workflow action has occurred. Note that a user of the workflow need not have the capability to post to the weblog, it will be automatically updated when his/her actions on a workflow step occur. The updates referred to in MS Project are

updates made manually by workflow users themselves. MS Project does not contemplate a separate weblog for weblog members wherein an application automatically updates the weblog when a workflow action occurs. Clark only tracks its own internal workflow. So, no combination of these references can teach or suggest the Applicants' invention as now claimed including the steps of "instantiating an instance of a workflow by a user, the user being assigned to a role in the workflow, the workflow having a plurality of workflow steps; generating a weblog to track an instance of the workflow, the weblog accessible to weblog members, first weblog members with permission to view workflow status and weblog comments, and second weblog members with permission to view workflow status and view and post weblog comments; and employing an application to cause communication between the workflow and the weblog to automatically post an entry in the weblog to indicate that a workflow action has occurred, the entry being physically viewable on a display device by the weblog members."

In response to Applicants' arguments filed April 27, 2009, wherein Applicants argued that MS Project and Clark in taken in combination and/or in part fail to teach or suggest the Applicants' invention as claimed, the Office Action of May 14, 2009 states "MS Project teaches a system and method for tracking the status of a workflow comprising posting an entry in the weblog to indicate that a workflow action has occurred...." And, Clark teaches a system and method for tracking the status of a workflow comprising automatically determining, updating, and posting ... when workflow action status change – specifically automatically logging when a workflow action is completed ... Accordingly it would have been obvious to one skilled in the art at the time of the invention that the system and method for tracking status of a workflow as taught by MS Project would have benefited from automatically posting entry in the project to indicate that a workflow action has occurred in view of the teachings of Clark; the resultant system and method enabling users to automatically obtain real-time project status...

The Applicants note that the conclusion drawn in the Office Action – i.e. that “MS Project would have benefited from automatically posting entry in the project to indicate that a workflow action has occurred in view of the teachings of Clark” is not what the Applicants are claiming. In accordance with the claims as amended, an entry is automatically posted in a weblog to indicate that a workflow action has occurred in a workflow. The weblog is not the workflow – as explained and claimed, the weblog has its own members and is automatically updated via an application. This is markedly different, and patentably distinct from posting an entry in the project, or workflow, itself, to indicate that a workflow action has occurred. Thus the obviousness rationale offered in the Office Action fails to address the claimed invention.

The Office Action also states that “is was known at the time of the invention that merely providing an automatic means to replace a manual activity which accomplishes the same result is not sufficient to distinguish over the prior art, In re Venner... but Applicants are not simply automating the step of “posting an entry ... to indicate that a workflow action has occurred ... giving you just what you would expect from the manual step as shown in MS Project. Again, this is because the Applicant claims posting an entry to a weblog which is a different application having different members, and claims doing so via automatically via an application.

For all the reasons stated above, the Applicants respectfully assert that Claim 1 and its dependent Claims 2 – 4 and 7 are in condition for allowance. Independent Claims 10 and 18 contain limitations similar to that of Claim 1; therefore, the Applicants respectfully assert that Claims 10 – 11, 18 - 19, and 21 are also in condition for allowance.

Rejection of Claim(s) 5-6, 12, 15, 20, and 27 under 35 U.S.C. §103

The above recited claims were rejected under 35 U.S.C. 103(a) as being unpatentable over MS Project in view of Clark and further in view of Official Notice. To the extent that this rejection remains pending against currently pending claims 5 – 6, 12, and 20, the Applicants assert that these dependent claims are allowable by virtue of the fact that their respective independent claims 1, 10, and 18 are allowable.

CONCLUSION

In view of the amendments and remarks made herein, Applicant(s) submit(s) that the application is in condition for allowance and request early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the Applicants' representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-2003.

The Director is hereby authorized to charge any fees which may be required to Deposit Account No. 12-2158.

Respectfully submitted,

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